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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
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3 UNITED STATES OF AMERICA,

4 v.

11 Cr. 205 (AKH)

5 HUGO ARMANDO CARVAJAL-BARRIOS,

6 Conference

7 Defendant.
-----x

8 New York, N.Y.
9 November 12, 2024
10 2:45 p.m.

11 Before:

12 HON. ALVIN K. HELLERSTEIN,

13 District Judge

14 APPEARANCES

15 DAMIAN WILLIAMS

16 United States Attorney for the
17 Southern District of New York

18 KEVIN SULLIVAN

KAYLAN LASKY

NICHOLAS BRADLEY

Assistant United States Attorneys

19 ROBERT FEITEL

20 Attorney for Defendant

21 Also Present:

22 Dagoberto Orrantia, Interpreter (Spanish)
23
24
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(Case called)

MR. BRADLEY: Good afternoon, your Honor. Nicholas Bradley, Kevin Sullivan, and Kaylan Lasky for the government.

MR. FEITEL: Good afternoon, as well, your Honor. Robert Feitel for the defendant, Mr. Caravajal, who is present in court today. I believe he is listening to the translated version of the events through his headphones.

THE COURT: I'm sorry. You're muttering.

MR. FEITEL: Sorry, your Honor. My client is present, and we are prepared to proceed, your Honor.

THE COURT: How do you do, Mr. Caravajal?

THE DEFENDANT: Fine. Thank you.

THE COURT: First, I want to ask what is the status of Mr. Feitel's clearance, Mr. Feitel?

MR. FEITEL: Good afternoon, your Honor. My clearance forms have all been submitted. I've exchanged emails and spoke with Mr. Rucker. He told me he was going to try to expedite my getting a provisional professional clearance so I could start reviewing the materials as soon as possible.

THE COURT: Thank you.

MR. FEITEL: Thank you.

THE COURT: I have your letter, Mr. Bradley, and it's on consent; right?

MR. BRADLEY: That's correct, your Honor.

THE COURT: I approve all the dates and the

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1 procedures.

2 MR. BRADLEY: Thank you.

3 THE COURT: Is there anything else we do today?

4 MR. BRADLEY: The only other open item is Mr. Feitel
5 was going to advise the Court about potential pretrial motions
6 and also the parties would propose a schedule on that, your
7 Honor. We did speak briefly before the conference. We do have
8 a schedule to propose to the Court, and I'm happy to provide
9 that now.

10 THE COURT: Okay. Go ahead.

11 MR. BRADLEY: Based on our conversations, we would
12 propose that the defense file any pretrial motions by
13 January 15th. The government response would be due
14 February 14.

15 THE COURT: Reply date?

16 MR. BRADLEY: Mr. Feitel just said February 21. The
17 government would be fine with that date.

18 THE COURT: So motions by January 17, opposition by
19 February 14, reply by February 21, 2025.

20 MR. BRADLEY: Yes, your Honor.

21 THE COURT: Mr. Feitel, are you in position to know
22 what motions you would likely to be making, without binding
23 you?

24 MR. FEITEL: Your Honor, I have reviewed a very
25 significant amount of discovery. I believe I will be filing

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1 motions, possibly one to challenge my client's extradition to
2 the United States. Two, I believe I will file another motion,
3 a version filed by the codefendant, asserting a sovereign
4 immunity defense.

5 THE COURT: Sovereign immunity, haven't I ruled on
6 that?

7 MR. FEITEL: Up did, your Honor. I've read the
8 pleadings. My client stands in a slightly different position.
9 I think it's worth raising the issue. In addition, prior
10 counsel had submitted motions that your Honor denied seeking to
11 depose, pursuant to Rule 15, certain persons outside of the
12 United States. I'm going to revisit that issue in light of
13 what I've learned about the case.

14 I also plan, your Honor, to file a generalized motion
15 seeking to prohibit the wholesale instruction of coconspirator
16 hearsay in this case and that will apply cross the board.
17 There may be other specific motions that come to mind after I
18 learn what the government plans to introduce, the prosecutors
19 and I discuss their filings motions about other crimes
20 evidence, but at this point those are the motions I anticipate
21 filing.

22 THE COURT: Shouldn't the coconspirator hearsay aspect
23 be deferred until motions *in limine* before trial?

24 MR. FEITEL: I think that it might merit, at least by
25 filing a motion generally about the subject of coconspirator

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1 statements, perhaps it will become relevant later. But at
2 least that way I will be on a deadline for filing pleadings
3 with the Court.

4 THE COURT: Okay. So those are the dates. You can
5 make whatever motions you please.

6 Anything else, Mr. Bradley?

7 MR. BRADLEY: Not from the government, your Honor.

8 THE COURT: Mr. Feitel?

9 MR. FEITEL: No, your Honor.

10 THE COURT: A motion, Mr. Bradley?

11 MR. BRADLEY: Your Honor, the Court previously
12 excluded time through the trial date, through June 23, 2025, at
13 our last conference.

14 THE COURT: So we don't have to do anything more.

15 Thank you all. When should I see you again?

16 MR. BRADLEY: I would propose -- I haven't spoken to
17 Mr. Feitel about this -- but I would propose, your Honor, that
18 we perhaps schedule a date at the end of February after the
19 motions have been fully briefed.

20 THE COURT: I won't get the full briefing until
21 February 21.

22 THE DEPUTY CLERK: March 5th at 4:00.

23 MR. BRADLEY: That works for the government, your
24 Honor.

25 MR. FEITEL: That works for the defense as well if

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your Honor is good with it.

(Discussion off the record)

THE DEPUTY CLERK: March 5th at 10:00 a.m.

THE COURT: Thank you, folks.

(Adjourned)